



PRESENT:

Dr. Edgar Wallin Chairman
Mr. Gib Sloan Vice-Chairman
Ms. Gloria Freye
Mr. Michael Jackson
Mr. Peppy Jones
Mr. Kirk Turner, Secretary to the Commission,
Planning Director

ALSO PRESENT:

Mr. Michael Tompkins, Assistant Director of Planning
Planning Department
Mr. Rob Robinson, Senior Assistant County Attorney,
County Attorney's Office
Ms. Tara McGee, Senior Assistant County Attorney,
County Attorney's Office
Mr. Steve Haasch, Planning Manager,
Planning Department
Ms. Bonnie Perdue, Planning Operations Administrator and Clerk
Planning Department
Ms. Jane Peterson, Planning Manager,
Planning Department
Ms. Darla Orr, Planning and Special Projects Manager,
Planning Department
Mr. Ryan Ramsey, Planning Special Projects Manager,
Planning Department
Ms. Teresa C. Davis, Planning and Special Projects Coordinator,
Planning Department
Mr. Jesse Smith, Director,
Transportation Department
Mr. Steven Adams, Senior Civil Engineer
Transportation Department
Mr. Mike Nannery, Assistant Director
Utilities
Mr. Scott Smedley, Director,
Environmental Engineering Department
Mr. Scott Dunn, Assistant Director
Environmental Engineering Department

Mr. Dave Wolverton, Microcomputer Analyst
Information Systems Technology Department
Deputy Fire Marshall Anthony Batten, Fire and Life Safety,
Fire and EMS Department
Mr. Ray Cash, Zoning Administrator
Planning Department
Ms. Heather Capel, Senior Planning Operations Specialist
Planning Department
Dr. David Pritchard, Special Projects Manager
Administration

ASSEMBLY AND WORK SESSION.

Commissioners Wallin, Sloan, Freye, and Jones and staff assembled at 3:00 p.m. in the Public Meeting Room, Chesterfield County Administration Building, 10001 Iron Bridge Road Chesterfield, VA, for a work session.

I. ELECTION OF OFFICERS FOR 2016.

- **CHAIRMAN.**

Dr. Wallin stated the first order of business would be the election of officers for the positions of Chairman and Vice-Chairman to the Planning Commission for 2016.

Nominations of the office of Chairman to the Planning Commission for 2016 were opened.

Mr. Jones nominated Dr. Edgar Wallin to serve as Chairman of the Planning Commission.

There were no other nominations; therefore, it was on motion of Ms. Freye seconded by Mr. Sloan, the Commission resolved to close the nominations for the office of Chairman of the Planning Commission.

AYES: Commissioners Wallin, Sloan, Freye, and Jones.
ABSENT: Mr. Jackson.

On motion of Mr. Jones, seconded by Mr. Sloan, the Commission resolved to elect Dr. Edgar Wallin to serve as Chairman of the Planning Commission.

AYES: Commissioners Wallin, Sloan, Freye and Jones.
ABSENT: Mr. Jackson.

- **VICE-CHAIRMAN.**

Ms. Freye nominated Mr. Gib Sloan to serve as Vice-Chairman of the Planning Commission.

There were no other nominations; therefore, it was on motion of Mr. Sloan, seconded by Dr. Wallin, the Commission resolved to close the nominations for the office of Vice-Chairman of the Planning Commission.

AYES: Commissioners Wallin, Sloan, Freye and Jones.
ABSENT: Mr. Jackson.

On motion of Ms. Freye, seconded by Mr. Jones, the Commission resolved to elect Mr. Gib Sloan to serve as Vice-Chairman of the Planning Commission.

AYES: Commissioners Wallin, Sloan, Freye and Jones.
ABSENT: Mr. Jackson.

II. ADOPTION OF COMMISSION BYLAWS (16PJ0114).

On motion of Mr. Sloan, seconded by Ms. Freye, the Commission adopted the Planning Commission Bylaws.

AYES: Commissioners Wallin, Sloan, Freye and Jones.
ABSENT: Mr. Jackson.

Mr. Michael Jackson joined the dais at approximately 3:04 p.m.

III. DESIGNATE COMMISSION APPOINTEE TO RICHMOND REGIONAL PLANNING DISTRICT COMMISSION.

On motion of Mr. Jones, seconded by Mr. Sloan, the Commission resolved to appoint Ms. Gloria Freye to the position.

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

IV. ADOPTION OF PLANNING COMMISSION 2016 CALENDAR YEAR AND JANUARY 2017 ANNUAL MEETING DATES (16PJ0113).

On motion of Mr. Sloan, seconded by Ms. Freye, the Commission resolved to adopt the Planning Commission 2016 and January 2017 calendar.

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

V. CLOSED SESSION: SECURITY BRIEFING.

On motion of Mr. Sloan, seconded by Ms. Freye, the Commission agreed to go into a closed session for a security briefing. Mr. Turner asked all staff not seated at the dais to leave the Public Meeting Room for approximately fifteen (15) minutes.

VI. REQUEST TO POSTPONE ACTION, EMERGENCY ADDITIONS, CHANGES IN THE ORDER OF PRESENTATION.

There were no changes in the order of presentation.

VII. REVIEW UPCOMING AGENDAS.

Mr. Allen reviewed the one (1) 4 p.m. case on the consent agenda. Ms. Peterson reviewed the four (4) zoning cases.

VIII. REVIEW DAY'S AGENDA.

Ms. Peterson reviewed the four (4) zoning cases for the 6:00 p.m. agenda.

IX. REVIEW WORK PROGRAM.

There were no questions about the work program.

X. REVIEW PLANNING COMMISSION FOLLOW-UP ITEMS.

There were no questions about the follow-up items list.

XI. REVIEW OF COMPLETE ROADS POLICY (16PJ0112).

Dr. David Pritchard gave an overview to the Commission on the Complete Roads Policy. The policy was generated as a separate project out of the Bikeways and Trails Chapter of the Comprehensive Plan. Following a public hearing in December, the Board remanded it back to the Commission for further study, and requested the Commission return a recommendation within 90 days. Dr. Pritchard requested the Commission hold a more detailed work session on this project in February, and stated that he will be meeting with the Commission and Board members in the next several weeks to discuss further.

In response to a question from the Commission, Mr. Turner stated under the Board schedule presented to the Commission, the Commission would need to review this at the February work session, but could request the Board grant an extension to the timeline.

Mr. Sloan asked Dr. Pritchard that additional information on the Complete Roads Policy be provided to the Commission before the next work session.

XII. DISCUSSION OF MAJOR & MINOR CHANGES IN THE DEVELOPMENT REVIEW PROCESS (15PJ0113).

Mr. Ray Cash presented an overview to the Commission regarding the lot subdivision process and the proposed changes in the review of minor or major changes to preliminary plats.

Mr. Cash stated that currently a preliminary plat may be altered through two (2) different types of processes. A minor change is a small change handled through a Technical Correction Letter process. A Major Change is a plat resubmittal that becomes a new application. Major changes are

currently defined as one (1) or more additional lots being added, street realignments or street extensions and BMP relocations among other things. The proposed ordinance would consider major changes those that primarily have four (4) characteristics, change in the overall design intent, impact on surrounding properties, impact on land use and impact on compliance with this chapter. Density increase alone no longer requires major change. Mr. Cash elaborated that in order to avoid having to seek a major change, a developer is encouraged to provide design sufficient to accommodate higher density or other alterations in the initial approved plan.

Mr. Peppy Jones asked what distance is allowable between existing homes and BMP's as a result of new construction. Mr. Cash deferred to EE, and Mr. Dunn stated fifty (50) feet was the allowable distance.

Staff would like to set a public hearing at the February 16, 2016 Planning Commission Public Hearing.

Ms. Freye asked if density could be increased in a subdivision. In response, Mr. Turner replied that proffered conditions limit density and staff has no administrative authority to change that.

Mr. Jackson inquired if this Major & Minor Development Review Process has to be brought before the Commission in February. He would like to be certain he understands the ramifications before voting.

Mr. Turner stated it could be advertised for February but the decision could be deferred until another time to which Mr. Jackson voiced support.

Mr. Sloan stated the Commission is being asked to review the language before recommending it to the Board. He supports Mr. Jackson's suggestion to hear it in February and defer the vote to March.

On motion of Dr. Wallin, seconded by Mr. Jones, the Commission resolved to hear the Major & Minor Changes at the February 16, 2016 Public Hearing.

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

XIII. RECESS.

Recessed at 4:06 p.m. until 4:15 p.m.

4:00 P.M. PUBLIC MEETING.

I. CALL TO ORDER.

Dr. Wallin, Chairman, called the meeting to order at 4:18 p.m., in the Public Meeting Room, Lane B. Ramsey Administration Building, 10001 Iron Bridge Road, Chesterfield, VA.

II. APPROVAL OF THE PLANNING COMMISSION MINUTES.

- November 17, 2015 Minutes.

On motion of Dr. Wallin, seconded by Mr. Sloan the Commission resolved to approve the November 17, 2015 Planning Commission minutes.

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

III. PUBLIC MEETING.

- A. 16TW0169:** In Bermuda Magisterial District, **DEAN SHOOSMITH** requests relief to section 17-76 G.3. to allow for two additional lots served by a single access in **AMSTEL BLUFF** in a Residential (R-25) District located on 11.06 acres 250 feet north of the intersection of Creekbluff Drive and Swiftrock Ridge. Tax ID 771-644-6068.

The applicant's representative did not appear and staff received a letter prior to the meeting that they would not be in attendance.

Dr. Wallin opened the floor for public comment.

No one spoke in favor of, or in opposition to, the request.

There being no one to speak, Dr. Wallin closed the public hearing.

On motion of Mr. Sloan, seconded by Dr. Wallin, the Commission resolved to recommend approval of Case 16TW0169.

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

IV. RECESS.

The Commission recessed at 4:22 p.m. until 5:00 p.m. for dinner.

5:00 P.M. DINNER - EXECUTIVE MEETING ROOM.

During dinner, there was general discussion on topics related to the Planning Commission.

6:00 P.M. PUBLIC HEARING.

I. CALL TO ORDER.

Dr. Wallin called the session to order.

II. INVOCATION.

Dr. Wallin presented the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG OF UNITED STATES OF AMERICA.

The Commission led in the Pledge of Allegiance to the Flag.

IV. REVIEW UPCOMING AGENDAS.

Mr. Kirk Turner apprised the Commission of the caseload agendas for February, March, April and May.

V. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER OF PRESENTATION.

There were no requests to postpone action, emergency additions or changes in the order of presentation.

VI. REVIEW MEETING PROCEDURES.

Mr. Kirk Turner reviewed the meeting procedures.

VII. CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS INVOLVING THE SERVICES, POLICIES AND AFFAIRS OF THE COUNTY GOVERNMENT REGARDING PLANNING OR LAND USE ISSUES.

Mr. Bob Olsen stated the fly ash and coal ash is a growing problem in Chesterfield County.

There were no other citizens' comments on unscheduled matters.

VIII. PUBLIC HEARING.

• CONSENT ITEMS – REZONING AND CONDITIONAL USE.

- B. 16SN0564:** In Matoaca Magisterial District, **Eagle Construction of Va., LLC** is requesting amendment of zoning (Case 03SN0205) relative to architectural treatment in a Residential Townhouse (R-TH) District on 12.1 acres located on the east and west line of Kousa Drive, north of Dogwood Villas Drive; also at the eastern terminus of Dogwood Villas Drive, south of Cornus Avenue. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Medium-High Density Residential use (Minimum 4.0 to 8.0 dwellings per acre). Tax IDs 717-671-3770, 3976, 4281, 4466, 4587, 4772, 4893, 4977, 5198, 5283, 5461, 5689, 5767, 5894, 6172, 6356, 6478, 6662, 6684, 6968, 6989, 7273, 7579, 7885 and 8098; and 717-672-5404, 5610, 5915, 6100, 6321, 6405, 6811 and 4514

Mr. Mark Kukoski, the applicant's representative, accepted staff's recommendation.

Dr. Wallin opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Dr. Wallin closed the public hearing.

There have been two (2) community meetings; architectural modifications will permit a variation of the quad-style housing product; and, age-restricted households will supplement the tax base and provide an increase in the School's operating budget.

On motion of Dr. Wallin, seconded by Ms. Freye, the Commission resolved to recommend approval of Case 16SN0564 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

The Applicant hereby amends Textual Statement of Case 03SN0205 by deleting Item 5 as well as amending Proffered Condition 1 of Case 03SN0205 to read as follows:

1. The architectural treatment of all buildings including materials and style shall be compatible to the elevations and building materials list within Exhibit A, dated December 11, 2015. In addition, the following design elements shall be required:
 - a. Group or ROW Design.
 - i. The maximum number of attached units shall be four (4).
 - ii. Any building elevation adjacent to a public or private right-of-way shall incorporate either:
 1. Brick or stone veneer in the area highlighted on the elevations for Exhibit A, or
 2. Variation in setbacks from rights-of-way through recessing a portion of each dwelling facing the right-of-way in lieu of varying the setback of each unit. (P)

(Staff Note: Except as amended with this case, all other conditions of Case 03SN0205 shall remain in force and effect.)

2. Lot 27 of Section B (GPIN 717-671-8098) shall be built of a comparable elevation and architectural style and elements of neighboring Lot 26 of Section B. (P)
3. Prior to the issuance of the tenth (10) Certificate of Occupancy, the following freestanding signs shall be installed:
 - a. One (1) residential community entrance sign, located generally within the median of Dogwood Park Drive, at the intersection of Hull Street Road. This sign shall be subject to VDOT approval prior to installation.
 - b. One (1) identification sign for the community clubhouse, located generally along Dogwood Villas Drive, adjacent to the community clubhouse facility. (P)

(Staff Note: Signs shall meet Zoning Ordinance requirements.)

AYES: Commissioners Wallin, Sloan, Freye and Jones.
NAY: Mr. Jackson.

- C. **16SN0571:** In Clover Hill Magisterial District, **Mark Fernandez and Kinda Parker-Fernandez** request conditional use to permit a family day care home and amendment of zoning district map in a Residential (R-7) District on 0.4 acres known as 441 Comstock Drive. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Residential use (2.0 dwellings/acre or less). Tax ID 745-705-3392.

Ms. Fernandez, the applicant, accepted staff's recommendation.

Dr. Wallin opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Dr. Wallin closed the public hearing.

Ms.. Freye noted there was no neighborhood opposition and, as conditioned, the proposal meets the Planning Commission guidelines for family day care homes.

On motion of Ms.. Freye, seconded by Mr. Jones, the Commission resolved to recommend approval of Case 16SN0571 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

1. Non-Transferable Ownership: This conditional use approval shall be granted to and for Kinda Fernandez, exclusively, and shall not be transferable, nor run with the land. (P)
2. Expansion of Use: There shall be no exterior additions or alterations to the existing structure to accommodate this use. (P)
3. Signage: There shall be no signs permitted to identify this use. (P)
4. Number of Children: This conditional use approval shall be limited to providing care, protection and guidance to a maximum of twelve (12) children, other than the applicant's own children or any children that reside in the home, at any one time. (P)
5. Hours of Operation: Hours and days of operation shall be limited to Monday through Friday from 6:30 a.m. to 6 p.m. There shall be no Saturday or Sunday operation of this use. (P)
6. Time Limitation: This conditional use approval shall be granted for a period not to exceed five (5) years from the date of approval. (P)

7. Fenced Outdoor Play Areas: Any outdoor play area and/or recreational equipment utilized by the family day-care home shall be located in the side or rear yard of the property. Outdoor play and/or recreational equipment areas shall have perimeter fencing of at least four feet in height, installed and maintained around the equipment or play area. All equipment for outdoor play areas shall be located no closer than fifteen (15) feet from the side or rear property lines. (P)
8. Employees: No more than one (1) employee shall be permitted to work on the premises other than family member employees that live on the premises. (P)

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

• **REZONINGS AND CONDITIONAL USE PLANNED DEVELOPMENTS – OTHER.**

- A. **16SN0554***: (Amended) In Matoaca Magisterial District, **O.K. Ventures, LLC** requests rezoning from Corporate Office (O-2) and Community Business (C-2) to Multifamily Residential (R-MF) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 13.7 acres fronting 740 feet on the east line of North Spring Run Road, 700 feet south of Hull Street Road. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Medium-High Density Residential (4.0 to 8.0 dwellings per acre) and Neighborhood Business uses. Tax IDs 725-671-Part of 5911 and 726-670-Part of 1584.

Mr. Ryan Ramsey gave an overview and staff's recommendation for denial as the residential density exceeds that recommended by Plan and the cash proffer does not fully address development impacts

Mr. Andy Condlin, the applicant's representative stated this is a unique product in a unique location. The project is age restricted and multi-family featuring different architectural styles including some four (4) story units and others will be developed as quad style condominiums. Amenities include a clubhouse, pool and walking trails and the applicant has proffered quality features.

Dr. Wallin opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Dr. Wallin closed the public hearing.

In response to a question from Dr. Wallin, Mr. Jesse Smith stated the applicant has proffered a mitigating turn lane and access to the adjacent shopping center which is an improvement over the current situation.

Dr. Wallin stated two (2) community meetings were held to discuss the project and the potential impacts it may have on adjoining properties. The project will serve as a higher density, mixed use development in conjunction with the adjoining shopping center. Development will provide a vehicular and pedestrian access to the Deer Run Shopping Center from North Spring Run Road,

which would improve potential patronage for the development. Age-restricted households will supplement tax base, which will provide an increase in the operating budgets for Schools.

On motion of Dr. Wallin seconded by Mrs. Freye, the Commission resolved to recommend approval of Case 16SN0554 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

The Owner-Applicant in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successor or assigns, proffers that the development of the property (the "Property") will be developed as set forth below; however, in the event the request is denied or approved with conditions not agreed to by the Owner-Applicant, these proffers shall be immediately null and void and of no further force or effect.

The Applicant hereby proffers the following conditions:

1. Master Plan. The textual statement dated December 30, 2015 and the following exhibits, each of which is made a part of these proffers by this reference thereto, shall be considered the Master Plan.
 - a. Exhibit A – Conceptual site plan entitled "SPRING RUN AGE-RESTRICTED, MASTER PLAN FOR REZONING", prepared by AES Consulting Engineers, dated August 3, 2015, and last revised December 17, 2015.
 - b. Exhibit A1 – Elevations entitled "Spring Run Senior Housing", prepared by Commonwealth Architects, and dated April 20, 2015. (P)
2. Density. There shall be a maximum of one hundred thirty-six (136) dwelling units. (P)
3. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Fair Housing Act, and such other applicable federal, state or local legal requirements, all dwelling units shall be restricted to "housing for older persons" as defined in the Virginia Fair Housing Law and no persons under 19 years of age shall reside therein. (P)
4. Access. Direct vehicular access from the Property to Spring Run Road shall be limited to one (1) entrance/exit (the "Main Access") and one (1) emergency only access, as generally depicted on Exhibit A, unless otherwise approved by the Transportation Department. The exact location of these accesses shall be approved by the Transportation Department. Prior to any site plan approval, an access easement, acceptable to the Transportation Department, shall be recorded across the property to provide shared use of the Main Access with adjacent properties to the north, GPIN 725-671-5911 and 725-671-9022 (the "Adjacent

Properties”). Nothing herein shall preclude indirect access from the Property to Spring Run Road through the Adjacent Properties. (T)

5. Private Access Road Connection to Shopping Center. Prior to issuance of any occupancy permit, a private access road connection to the adjoining shopping center, located at GPIN 725-671-5911, shall be completed, as determined by the Planning Department. (P)
6. Road Improvements. Prior to issuance of any occupancy permit, the following road improvements shall be completed, as determined by the Transportation of Department:
 - a. Construction of additional pavement along the northbound lane of Spring Run Road at the Main Access to provide a separate right turn lane.
 - b. Construction of a sidewalk along the east side of Spring Run Road for the entire Property frontage.
 - c. Dedication to and for the benefit of Chesterfield County, free and unrestricted of any additional right of way or easements required for the improvements identified above. (T)
7. Impacts. For each dwelling unit, the applicant, sub-divider, or assignee(s) shall pay the following to the County of Chesterfield, prior to the issuance of a building permit, for infrastructure improvements within the service district for the property, unless state law prevents enforcement of that timing:
 - a. \$11,152 per dwelling unit (reflecting the maximum allowable cash proffer per the Board's current policy less the portion of the calculation attributable to schools) for the period beginning the July 1 preceding the Board of Supervisors' approval of the case through July 1 four years later, at which point the amount will be adjusted for the cumulative change in the Marshall and Swift Building Cost Index during that time period. At the time of payment, the amount will be allocated pro-rata among the facility categories for parks and recreation, fire, libraries, and roads.
 - b. Thereafter, the per dwelling unit cash proffer amount shall be automatically adjusted, annually, by the annual change in the Marshall and Swift Building Cost Index on July 1 of each year.
 - c. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)
8. Architectural Treatment. The architectural treatment of and exterior materials for the buildings on the Property shall be compatible and consistent with the elevations identified as Exhibit A1, with the following provisions:

- a. Vinyl siding shall be prohibited, provided shake patterned vinyl shall be permitted in gable roof areas only.
 - b. Roof materials shall be architectural dimensional shingles with a minimum of a thirty (30) year warranty.
 - c. Exterior building materials for the apartment building shall be a minimum of 30% stone veneer, excluding window area. The remainder of the exterior facade shall be fiber cement board (Hardiplank) siding.
 - d. Exterior building materials for the cottages shall be a minimum of 25% stone veneer, excluding window area. The remainder of the exterior facade shall be fiber cement board (Hardiplank) siding.
 - e. Exterior building materials for the clubhouse building shall be a minimum of 50% stone veneer, excluding window area. The remainder of the exterior facade shall be fiber cement board (Hardiplank) siding. (P)
9. Concept Plan Requirements. The site shall be designed as generally depicted on the Concept Plan (Exhibit A). However, the exact location of buildings, parking and other improvements may be modified provided that the general intent of the plan is maintained. All dwelling units shall be configured within a single apartment structure or as attached cottage (clustered) units and shall be located generally in the areas as depicted on Exhibit A. (P)
10. Building Heights. The apartment structure shall be a maximum of four (4) stories, with no individual story to exceed twelve (12) feet in height. Attached cottages shall be a maximum of two (2) stories. (P)
11. Clubhouse and Amenities. Prior to the certificate of occupancy for more than 100 dwelling units, amenities including, but not limited to, a clubhouse and pool shall receive a certificate of occupancy. The clubhouse shall contain a minimum of 3,500 gross square feet. Provided further, any sales or leasing office within the clubhouse shall not exceed twenty-five (25) percent of the clubhouse's gross square footage. (P)
12. Focal Point. The area designated on Exhibit A as "PEDESTRIAN AREA" shall be designed to include pedestrian scale amenities, such as, but not limited to: decorative paving units; gazebo; decorative pedestrian-style lighting; benches; landscaped areas; plantings; bike racks; plazas; water features; gathering areas; walking trails located within common area or open space and other pedestrian elements. The exact design and location of these amenities shall be approved by the Planning Department at the time of site plan review. (P)
13. Street Trees. Street trees, consisting of large deciduous trees planted a maximum of forty (40) feet on center, shall be planted along each side of the interior access roads and common driveways as generally shown on Exhibit A. Spacing may be

increased where there is a conflict with utilities, sightlines, and driveway areas.
(P)

14. Restriction on Children's Play Facilities. The common area/recreational amenities associated with any multifamily use shall not include playground equipment, play fields or other facilities primarily associated with children's play. (P)
15. Buffers and Landscaping.
 - a. A twenty-five (25) foot buffer shall be provided along the northern property line and on adjoining parcels to the north (portions of GPIN 725-671-5911 and 725-671-9022), generally as depicted on Exhibit A. Any portion of the buffer that is located off-site shall be located within a maintenance easement to ensure that the long term maintenance and preservation of the landscaping by the owner of the Property. Such buffer may be disturbed for the purpose of site grading provided it shall be planted in accordance with the following standards:
 1. Planting requirements for the buffer shall meet the fifty (50) foot buffer treatment requirements outlined by the Zoning Ordinance where vegetation does not exist or is approved for removal. The following exceptions to these standards shall be permitted: Evergreen trees shall be substituted for one hundred (100) percent of the required small deciduous trees.
 2. A four (4) foot high berm with a maximum side slope of 3:1 may be installed, at the option of the developer.
 - b. A 50' buffer shall be required along Spring Run Road. A variable width undulating berm with an average height of three (3) feet shall be installed within this buffer, as approved by the Planning Department at the time of site plan approval.
 - c. A durable and opaque fence, a minimum of six (6) feet in height, shall be provided in the general locations as shown on Exhibit A. The location and design of the fence shall be reviewed and approved at time of site plan submittal.
 - d. A decorative fence, a minimum of three (3) feet in height, shall be provided within the buffers along the southern and eastern property lines in the general locations as shown on Exhibit A. The location and design of the fence shall be reviewed and approved at time of site plan submittal.
 - e. A decorative fence, a minimum of three (3) feet in height, shall be provided within the buffer along Spring Run Road. The location and design of the fence shall be reviewed and approved at time of site plan submittal. (P)

16. Landscaping. Landscaping shall be provided around the perimeter of all buildings, between buildings and driveways, within medians, and within common areas not occupied by recreational facilities or other structures. Landscaping shall comply with the requirements of the Zoning Ordinance. (P)
17. Lighting. Other than in the parking lot for the apartment structure, all site lighting shall be pedestrian scale lighting not to exceed a height of twelve (12) feet. Parking lot lighting for the apartment structure shall not exceed a height of twenty (20) feet. All lighting on the site shall be shielded and designed to orient light in a downward fashion so as not to cause direct view of the light source from the apartment units, the individual homes, adjacent properties or public streets. (P)
18. Sidewalks and Trails. An internal system of sidewalks, trails, and crosswalks where necessary, shall be constructed within the development in the locations generally shown on Exhibit A and shall include an internal pedestrian connection to the adjacent shopping center (GPIN 725-671-5911). All trails shall be paved with asphalt. (P)
19. Timbering Restrictions. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)
20. Burning Ban. The Developer shall not use burning to clear or timber the Property. (EE)
21. Maintenance of On-Site Improvements. On-site improvements shall be properly maintained and repaired including, but not limited to, paving and sidewalks, landscaping, lighting, and façade finishes. All areas of pavement shall be maintained without pot holes and ruts. (P)
22. Storm Sewer Facilities.
- a. The existing storm sewer facility which drains from GPIN 725-671-5911 will be re-aligned to match the proposed layout set forth on Exhibit A and will discharge into the proposed stormwater management facility serving the Property.
 - b. The existing storm sewer into which this project drains would establish the required storage volume and outflow capacity of the proposed stormwater management facility serving the Property. The existing system in Antler Ridge Section 2, Antler Ridge Section 4, and Deer Run Section 4 should be analyzed to the point where the system discharges into the large paved ditch approximately 220 feet downstream from Key Deer Drive in Deer

Run Section 4. The analysis of this system will establish the required storage volume and outflow capacity of the proposed stormwater management facility serving the Property.

- c. The peak discharge rate from a 100 year storm going into the existing storm sewer from the proposed stormwater management facility serving the Property would have to be below a rate that would cause a storm sewer surcharge in the existing downstream subdivisions.
- d. Any proposed stormwater management facility located on the Property will be designed as a dry pond with no manmade compacted embankment. If some level of manmade embankment is necessary, a dam failure analysis may be required showing no homes will be detrimentally impacted. In addition, the dam embankment should include, but not be limited to, a clay core or syphon structure. (EE)

23. Restrictive Covenant. Restrictive covenants on the Property shall be recorded prior to the issuance of any certificate of occupancy and shall include the following item:

- a. Hours of Operation for Community Clubhouse – The hours of operation for the community clubhouse shall be limited to 5:30 AM to 11:00 PM, daily. Hours of operation for the community clubhouse may be extended until 12 Midnight on the following holidays: Memorial Day, Fourth of July and New Year's Eve. (P)

AYES: Commissioners Wallin, Sloan, Freye and Jones.
NAY: Mr. Jackson.

- C. **16SN0568:** In Bermuda Magisterial District, **Barney McLaughlin** requests rezoning from Residential (R-12) to Agricultural (A) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 12.6 acres fronting 72 feet on the north line of Enon Church Road, 665 feet west of Cobbs Point Drive. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2.0 to 4.0 dwellings per acre). Tax IDs 818-644-4160 and 819-644-0125.

Mr. Ryan Ramsey presented an overview and staff's recommendation for denial as the proposed exceptions to ordinance requirements circumvent adopted standards for orderly single-family development and Agricultural (A) uses are not suggested as appropriate for area by the Comprehensive Plan.

The applicant's representative, Kyle McLaughlin, stated that with the proposed Agricultural (A) rezoning, three (3) homes were proposed, while noting that the property was previously approved for fifteen (15) homes.

Dr. Wallin opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Dr. Wallin closed the public hearing.

Mr. Sloan stated he and Mr. Ramsey attended a community meeting where no opposition to the proposal was expressed by adjacent property owners; that the applicant is now building three (3) buildings instead of fifteen (15); and the proposal fits in with the surrounding neighborhood.

On motion of Mr. Sloan, seconded by Ms. Freye, the Commission resolved to recommend approval of Case 16SN0568 and acceptance of the proffered conditions:

PROFFERED CONDITIONS

1. Density. A maximum of three (3) single-family dwelling units shall be permitted. Each dwelling shall be located on an individual lot. (P)
2. Lot Area. The minimum lot area for Lots 2 and 3, as shown on Exhibit A, shall be one and half (1.5) acres. (P)
3. Road Frontage & Access.
 - a. No public road frontage shall be required for a dwelling located on Lots 1 and 2, as shown on Exhibit A.
 - b. A minimum of seventy (70) feet of public road frontage shall be provided for Lot 3, as shown on Exhibit A.
 - c. Access to lots with no public road frontage shall be provided in accordance with Proffered Conditions 4, 5 and 6. (P)
4. Easement. Prior to approval of a building permit, the property owner shall provide a copy of a recorded instrument which will include the following:
 - a. A condition that shall require that no structure or fence shall be constructed to block the access.
 - b. A condition that shall require the land owner of the subject property to be responsible for maintenance of the access.
 - c. A thirty (30) foot private access easement from Point A to Point B to Point C, as generally shown on Exhibit A. (P)
5. Driveway Standards. A twenty (20) foot wide driveway shall be constructed and maintained to all weather standards from Point A to Point B to Point C in accordance with the following standards:
 - a. This driveway shall consist of not less than the following: compacted soil sub-base with six (6) inches of compacted 21-B crushed stone, if an asphalt based surface is to be applied, it shall be designed and constructed to Chesterfield County

subdivision street requirements or an equivalent design approved by the Subdivision Team, capable of supporting the projected 75,000 pound vehicle weight and shall be maintained to this standard. The driveway shall not be approved if it is rutted or potholed.

- b. There shall be an additional one and a half (1.5) foot clear area beyond the edge of the driveway.
 - c. There shall be a minimum vertical clearance of fourteen (14) feet of area above the driveway.
 - d. The driveway shall have a maximum grade of ten (10) percent with an appropriate transition at the street connection.
 - e. The minimum inside turning radius for any curve shall be twenty-seven (27) feet.
 - f. Any cross drains shall be designed to accommodate a minimum ten (10) year storm.
 - g. The final delineation of Point B to Point C, if the property is subdivided, shall be confirmed at time of subdivision plat review. (P)
6. Driveway Inspection. Prior to issuing a Certificate of Occupancy, the Planning Department shall inspect this driveway to determine compliance as set forth above. (P)
7. Drainage Design. An engineered drainage design will be required for site development of the home sites.
- a. The drainage design shall account for the maximum obtainable elevation of stormwater inundation behind Enon Church Road and the railroad tracks to the north.
 - b. Home sites shall be engineered and prepared such as they are at a minimum, of 25 feet horizontally and one (1)-foot vertically from the area of inundation behind these embankments.
 - c. The ground slope between these maximum areas of inundation and the building envelope shall be no flatter than 1%.
 - d. The crawl space elevation within the building will be one (1)-foot above the elevation of the outside of the building.
 - e. Minimum floor elevations shall be one (1)-foot above the highest obtainable water surface elevation. (EE)
8. Stormwater Discharge. For any required road construction in the Johnson Creek Watershed, the post-development 2, 10 and 100 year stormwater discharge shall not exceed the predeveloped 2, 10 and 100 year stormwater discharge, respectively. (EE)

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

XI. OTHER BUSINESS.

There was no other business discussed.

XII. CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS INVOLVING THE SERVICES, POLICIES AND AFFAIRS OF THE COUNTY GOVERNMENT REGARDING PLANNING OR LAND USE ISSUES.

There were no citizen comments on unscheduled matters.

XIII. ADJOURNMENT.

There being no further business to come before the Commission, it was on motion of Mr. Sloan, seconded by Ms. Freye that the meeting adjourned at 6:57 p.m. to Tuesday, February 16, 2016 at 2:00 p.m., in the Public Meeting Room, 10001 Iron Bridge Road, Chesterfield, Virginia.

AYES: Commissioners Wallin, Sloan, Freye, Jackson and Jones.

Chairman/Date

Secretary/Date